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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/741,156	12/21/2000	Jari Maenpaa	367.39359x00	5543

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EXAMINER

BAYAT, BRADLEY B

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 10/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/741,156

Applicant(s)

MAENPAA ET AL

Examiner

Bradley Bayat

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/21/2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Applicant's preliminary amendment of December 21, 2000 has been entered. Claims 3, 5 and 6 were amended and new claims 9-12 were added. Thus, claims 1-12 are presented for examination.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification – Title of the Invention

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 112, 2nd paragraph

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 4, 5, and 10 the phrase "may be" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Therefore, claims 4, 5 and 10 merely recite a possibility and fail to particularly point out and claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Jakobsson et al., U.S. Patent 6,157,920.

As per claims 1 and 8, Jakobsson et al. discloses an electronic commerce system/method wherein a customer reserves at least one token from an issuer which token is stored in the customer's portable radio communication device, the customer activates the token so that it can be used for buying goods or services from a vendor, the customer selects between spending the token with the vendor, or delegating the token to a delegate via the delegate's radio communication device such that the delegate can spend the token with the vendor (column 2, line 50 – column 5, line 46; figures 2-5 and associated text).

As per claim 2, Jakobsson et al. discloses a system according to claim 1 wherein the vendor presents a spent token to the Issuer who redeems the token for monetary value (column 5, lines 26-46).

As per claims 3 and 9, Jakobsson et al. discloses a system according to claim 1 wherein said at least one token comprises a PreToken given by, $\text{PreToken} = S(\text{Rp}, \text{Auth}, \text{Ss})$ wherein S indicates an executable event in which Rp represents the Recipient, Ss represents the Sender and Auth is indicative of the goods/service (column 3, lines 1-62).

As per claim 4, Jakobsson et al. discloses a system according to claim 3 wherein said PreToken may be grouped to provide a GroupToken given by, $\text{GroupToken} = \text{sequence of (PreToken)}$ (column 11, line 55 – column 13, line 26).

As per claims 5 and 10, Jakobsson et al. discloses a system according to claim 3 wherein said PreToken or GroupToken may be assigned to provide a DelegatedToken given by, $\text{DelegatedToken} = S(\text{PreToken/GroupToken}, \text{Dp}, \text{Cs})$, wherein S indicates an executable event in which a PreToken or GroupToken is transferred from a Customer (Cs) to a Delegate (Dp) (figures 4 and 5 and associated text).

As per claim 6, Jakobsson et al. discloses a system according to claim 3 wherein said PreToken, GroupToken or DelegatedToken is spent with a Vendor to provide a SpentToken or a SpentDelegatedToken given by, $\text{SpentToken} = S(\text{PreToken/GroupToken}, \text{Mp}, \text{Cs})$, wherein S indicates an executable event in which a PreToken or GroupToken is spent by a Customer (Cs) with a Vendor (Mp), and $\text{SpentDelegatedToken} = S(\text{DelegatedToken}, \text{Mp}, \text{Ds})$, wherein S indicates an executable event in which a DelegatedToken is spent by a Delegate (Ds) with a Vendor (Mp) (column 5, line 48 – column 7, line 17).

As per claim 7, Jakobsson et al. discloses a system according to claim 6 wherein said vendor redeems said SpentToken or SpentDelegatedToken with the Issuer to result in a RedeemedToken given by, $\text{RedeemedToken} = S (\text{SpentToken} / \text{SpentDelegatedToken}, Ms)$, wherein S indicates an executable event in which a SpentToken or SpentDelegatedToken is redeemed by a Vendor (Ms) (column 5, lines 27-46; column 9, lines 12-30; column 12, lines 33-43).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Patent No. 6,529,884 B1 to Jakobsson.

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached on Tuesday-Friday during normal business hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

bbb
September 26, 2003



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600